

REMARKS

The Office Action of September 14, 2006 requires restriction between the following three allegedly distinct inventions:

Group I, Claims 1-30 drawn to apparatus;

Group II, Claims 31-31 drawn to a method of producing plastic plates; and

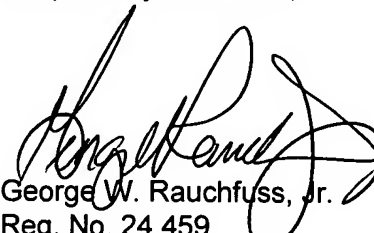
Group III, Class33-34 drawn to plastic tubes.

Applicant elects, with traverse, the Group I claims to apparatus. Claims 1 to 30 read on the elected invention.

The election requirement is respectfully traversed because the basis for requiring the election is erroneous. It is alleged that the claims lack being related to a single inventive concept under PCT Rules 13.1 and 13.2 because it is alleged that Claim 33 is either anticipated or obvious from US 2,816,323, and that claim 31 is obvious or anticipated by US 4,664,971. These allegations are erroneous since Claim 33 is neither anticipated nor obvious from US 2,816,323 and claim 31 is neither obvious nor anticipated by US 4,664,971. Moreover, the USPTO has merely made a naked assertion of these two allegations and presented no recitation of the specific factual basis wherein the limitations of these claims are shown to be disclosed or are obvious from the disclosures in the two cited patents. These naked assertions, besides being erroneous, cannot provide a proper basis for asserting that the subject matter of claims 31 and 33 are disclosed in the cited documents and possibly provide a proper legal basis for an election requirement. Therefore, the USPTO is respectfully requested to reconsider and withdraw the election requirement.

Respectfully submitted,

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